

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to applicant's amendment filed, 26 September 2008, of application filed, with the above serial number, on 12 January 2004 in which claims 7-15, 17-18, 23, and 39 have been amended, claims 44-47 have been added and claims 1-6, 16, 19-22, 24-38, and 40-43 have been cancelled. Claims 44-47, 7-15, 17-18, 23, and 39 are pending in the application.

2. The amendment filed on 26 September 2008 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because new independent claims 44-47 are drawn to a non-elected invention. Claims 44-47 are directed toward distribution method control based on reproduction limitations and client reproduction and confirmation units and lacks the distribution management server of the elected invention.

The reply filed on 26 September 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not fully responded to 112 and 101 rejections of claim 39. Applicant suggests claims 30-43 are cancelled therein, see p. 21 of remarks, however, claim 39 is pending. See 37 CFR 1.111.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 44-47, 7-15, 17-18, 23, and 39 are

withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREGORY G. TODD whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. G. T./  
Examiner, Art Unit 2457

/ARIO ETIENNE/  
Supervisory Patent Examiner, Art Unit 2457